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**MAR 03 2003**

**GROUP 3700**

**PLEASE DELIVER THE FOLLOWING FACSIMILE TRANSMISSION TO:**

**NAME:** Examiner Eugene L. Kim

**LOCATION:** USPTO

**RECEIVING FAX NO.:** 703-872-9302

**FROM:** Carol R. Maddaloni

**NO. OF PAGES, INCLUDING COVER SHEET:** 4

**DATE AND TIME:** March 3, 2003

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**MESSAGE:** \_\_\_\_\_

**FERRELLS, PLLC**  
A Virginia Professional Corporation  
Practice Limited to Intellectual Property Matters

Michael William Ferrell  
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March 3, 2003

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Assistant Commissioner for Patents  
Washington, D.C. 20231  
Attention: Examiner: E.L. Kim  
Group Art Unit: 3721

Re: U.S. Serial No. 09/453,498  
Filed December 3, 1999

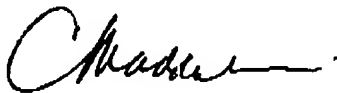
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GROUP 3700

Dear Sir:

Following is a copy of a *Notice of Abandonment* in the above-noted patent application which was forward to Michael Farrell, Esquire, P.O. Box 312, Clifton, Virginia 20124. Please note that we are **not** the attorney-of-record in this case. While our address is, in fact, P.O. Box 312, Clifton, Virginia 20124, the attorney at this location is Michael W. Ferrell (and not Farrell as indicated on the communication). Therefore, please check your records to ascertain proper disposition of this *Notice of Abandonment*.

If you need to speak to anyone regarding this, please call me at 973-249-8330.

Sincerely,



Carol R. Maddaloni  
Patent Manager

/crm  
Attachment



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/453,498	12/03/1999	BRUCE R. SMITH	013550-069	2714

7500 02/12/2003  
MICHAEL FARRELL, ESQUIRE  
P.O. BOX 312  
CLIFTON, VA 20124

EXAMINER

KIM, EUGENE LEE

ART UNIT PAPER NUMBER

3721

DATE MAILED: 02/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER
	18

DATE MAILED:

**NOTICE OF ABANDONMENT**

This application is abandoned in view of:

1. ☒ Applicant's failure to respond to the Office letter, mailed 12/3/2001
  2. ☐ Applicant's letter of express abandonment which is in compliance with 37 C.F.R. 1.138.
  3. ☐ Applicant's failure to timely file the response received \_\_\_\_\_ within the period set in the Office letter.
  4. ☐ Applicant's failure to pay the required issue fee within the statutory period of 3 months from the mailing date of \_\_\_\_\_ of the Notice of Allowance.
    - ☐ The issue fee was received on \_\_\_\_\_
    - ☐ The issue fee has not been received in Allowed Files Branch as of \_\_\_\_\_
- In accordance with 35 U.S.C. 151, and under the provisions of 37 C.F.R. 1.316(b), applicant(s) may petition the Commissioner to accept the delayed payment of the issue fee if the delay in payment was unavoidable. The petition must be accompanied by the issue fee, unless it has been previously submitted, in the amount specified by 37 C.F.R. 1.17(l), and a verified showing as to the causes of the delay.
- If applicant(s) never received the Notice of Allowance, a petition for a new Notice of Allowance and withdrawal of the holding of abandonment may be appropriate in view of *Delgar Inc. v. Schuyter*, 172 U.S.P.Q. 513.
5. ☐ Applicant's failure to timely correct the drawings and/or submit new or substitute formal drawings by \_\_\_\_\_ as required in the last Office action.
    - ☐ The corrected and/or substitute drawings were received on \_\_\_\_\_
  6. ☐ The reason(s) below.

**EUGENE KIM  
PRIMARY EXAMINER**